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P.O. Box 1450  
Alexandria VA 22313-1450  
Tel: 571-272-4683  
Fax: 571-273-0042

Entered: March 1, 2010

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Switchcraft, Inc.,  
Junior Party  
(Application 10/863,322;  
Inventor: Andrew Karl Eckhart),

v.

ADC Telecommunications, Inc.,  
Senior Party  
(Patent 6,992,257;  
Inventors: Michael Follingstad, Peter Adams and Jeffrey Peters).

Patent Interference No. 105,717 (RES)  
(Technology Center 2800)

Before: RICHARD E. SCHAFER, JAMESON LEE and  
RICHARD TORCZON, *Administrative Patent Judges*.

SCHAFER, *Administrative Patent Judge*.

Judgment - Request for Adverse – 37 C.F.R. § 41.127(b)

- 1 Switchcraft has filed an amendment for its involved application
- 2 cancelling all its remaining claims designated as corresponding to the count.
- 3 Filing an amendment which cancels all of a party's own claims such that it
- 4 no longer has a claim involved in the proceeding is considered a request for
- 5 entry of an adverse judgment. 37 C.F.R. § 41.127(b)(2).

1           Accordingly, it is  
2           ORDERED that judgment on priority as to the subject matter of  
3   Count 1 (Paper 31, p. 3), is awarded against junior party Switchcraft;  
4           FURTHER ORDERED that claims 41-59, 61, 63-67, and 69-111 of  
5   of Application 10/863,322, all corresponding to Count 1, are finally refused  
6   (35 U.S.C. § 135(a));  
7           FURTHER ORDERED that the paper titled “Amendment” filed as  
8   pages 4-23 of Paper 33 be submitted to the patent corps for entry into the file  
9   history of Application 10/863,322;  
10          FURTHER ORDERED that a copy of this judgment be made of  
11   record in the files of Application 10/863,322 and Patent 6,992,257; and  
12          FURTHER ORDERED that if there is any settlement agreement or  
13   related documents which have not been filed, attention is directed to  
14   35 U.S.C. § 135(c) and 37 C.F.R. § 41.205.

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/Richard E. Schafer/                    )  
RICHARD E. SCHAFER                    )  
Administrative Patent Judge            )  
  )  
\_\_\_\_\_  
/Jameson Lee/                            )  
JAMESON LEE                              )  
Administrative Patent Judge            )  
  )  
\_\_\_\_\_  
/Richard Torczon/                        )  
RICHARD TORCZON                        )  
Administrative Patent Judge            )

BOARD OF PATENT  
APPEALS AND  
INTERFERENCES

cc (electronic mail):

Attorney for ADC:

Dennis C. Bremer, Esq.  
CARLSON, CASPERS, VANDENBURGH  
& LINDQUIST  
225 South Sixth Street, Suite 3200  
Minneapolis, MN 55402  
Tel: 612-436-9600  
Email: dbremer@ccvl.com

Steven Bruess, Esq.  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
Tel: 612-332-5300  
Email: sbruess@merchant-gould.com

Attorney for Switchcraft:

Steven H. Noll, Esq.  
Trevor B. Joike, Esq  
SCHIFF HARDIN, LLP  
Patent Department  
233 S. Wacker Drive-Suite 6600  
Chicago, IL 60606-6473  
Tel: 312-258-5500  
Email: snoll@schiffhardin.com  
Email: tjoike@schiffhardin.com